

Comparison of Meal Pattern Requirements for the Milk Component in School Nutrition Programs

The U.S. Department of Agriculture (USDA) has different requirements for the milk component in the meal patterns for grades K-12 and preschoolers (ages 1-4) in the National School Lunch Program (NSLP), School Breakfast Program (SBP), Seamless Summer Option (SSO) of the NSLP, Afterschool Snack Program (ASP) of the NSLP, and Special Milk Program (SMP). The requirements for milk are defined by the USDA regulations for the NSLP ([7 CFR Part 210](#)), SBP ([7 CFR Part 220](#)), and SMP ([7 CFR Part 215](#)); and the USDA's final rule, *Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements*. In addition to the USDA meal pattern requirements, milk and nondairy milk substitutes sold to students in public schools (as part of and separately from school meals) must also comply with the state beverage requirements of [Section 10-221q](#) of the Connecticut General Statutes (C.G.S.).

This document summarizes the federal and state milk requirements for each school nutrition program and provides applicable resources. School food authorities (SFAs) must ensure that milk meets the specific requirements for each school nutrition program and grade group. For additional guidance, review the Connecticut State Department of Education's (CSDE) [Operational Memorandum 06-19: Summary of Federal and State Milk Requirements for the National School Lunch Program \(NSLP\), School Breakfast Program \(SBP\), Afterschool Snack Program \(ASP\) of the NSLP, and Special Milk Program \(SMP\)](#).



For information on complying with the meal patterns for school nutrition programs, review the CSDE's guides, [Menu Planning Guide for School Meals for Grades K-12](#), [Menu Planning Guide for Preschoolers in the NSLP and SBP](#), and [Afterschool Snack Program Handbook](#). For information on crediting foods, visit the CSDE's [Crediting Foods in School Nutrition Programs](#) and [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpages.

Change to Flavored Milk Requirement for School Year 2020-21

On August 21, 2020, the USDA released information about a decision in April 2020 by the U.S. District Court for the District of Maryland that cancels the USDA's 2018 final rule, *Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements* (83 FR 63775), and eliminates the previously approved meal pattern flexibility that allowed flavored low-fat milk in the NSLP, SBP, SSO, ASP, and SMP. Therefore, from July 1, 2020, through June 30, 2021, flavored milk for grades K-12 must be fat-free. Flavored milk is not allowed for preschoolers (ages 1-4). For more information, see question 7 in [USDA Memo SP 24-2020, CACFP 13-2020 and SFSP 13-2020: Questions and Answers for the Child Nutrition Programs during School Year 2020-21 – #5](#).

This information is subject to change as the USDA continues to issue policy guidance on the meal patterns for school nutrition programs. The CSDE will notify SFAs when new guidance is available.

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USDA Requirements for the Milk Component in the Meal Patterns for the NSLP, SBP, ASP, SSO, and SMP				
Requirement	Grades K-12		Preschoolers (Ages 1-4)	
	NSLP, SBP, and SSO	ASP and SMP	NSLP, SBP, and SSO	ASP and SMP
R1: Fat Content	Must be low-fat or fat-free milk	Same	Age 1: Must be whole milk Ages 2-4: Must be low-fat milk or fat-free milk	Same
R2: Flavored Milk	<p>Must be fat-free.</p> <p>Note: The USDA's 2018 final rule, <i>Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements</i> (83 FR 63775), allowed schools to serve flavored low-fat milk. This flexibility is no longer available. Question 7 of USDA Memo SP 24-2020, CACFP 13-2020 and SFSP 13-2020: Questions and Answers for the Child Nutrition Programs during School Year 2020-2021 addresses the cancellation of 83 FR 63775 due to a procedural error found during a court case.</p> <p>Resources USDA Memo SP 24-2020, CACFP 13-2020 and SFSP 13-2020: Questions and Answers for the Child Nutrition Programs during School Year 2020-2021</p>	Same	Not allowed. Milk must be unflavored.	Same

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Requirement	Grades K-12		Preschoolers (Ages 1-4)	
	NSLP, SBP, and SSO	ASP and SMP	NSLP, SBP, and SSO	ASP and SMP
R3: Allowable Types of Milk	<ul style="list-style-type: none"> Low-fat milk (unflavored only) Fat-free milk (unflavored or flavored) <p>Additional state requirements for milk in public schools: In addition to the USDA's requirements, milk sold in public schools (as part of and separately from school meals) must comply with the state beverage requirements of C.G.S. Section 10-221q. Milk cannot contain more than 4 grams of sugars per fluid ounce. The CSDE's List of Acceptable Foods and Beverages webpage includes products that comply with the federal and state requirements.</p> <p>Resources Beverage Requirements (CSDE webpage) List of Acceptable Foods and Beverages (CSDE webpage)</p>	<ul style="list-style-type: none"> Low-fat milk (unflavored only) Fat-free milk (unflavored or flavored) 	<p>Age 1: Must be unflavored whole milk. Ages 2-4: Must be unflavored low-fat milk or unflavored fat-free milk.</p> <p>Note: Breastmilk meets the milk component and may be served in place of fluid milk. A written request is not required.</p> <p>Additional state requirements for milk in public schools: In addition to the USDA's requirements, milk sold in public schools (as part of and separately from school meals) must comply with the state beverage requirements of C.G.S. Section 10-221q. Milk cannot contain more than 4 grams of sugars per fluid ounce. The CSDE's List of Acceptable Foods and Beverages webpage includes products that comply with the federal and state requirements.</p> <p>Resources Beverage Requirements (CSDE webpage) List of Acceptable Foods and Beverages (CSDE webpage) Serving Milk in the CACFP (USDA)</p>	Same
R4: Variety of Milk	<p>Required: SFAs must serve at least two different choices of milk. At least one choice must be unflavored fat-free or low-fat milk.</p>	<p>Not required: SFAs may serve one type of allowable milk (such as unflavored low-fat milk) to all grades.</p>	<p>Not required: SFAs may serve one type of allowable milk to each age group. For example, unflavored whole milk for age 1, unflavored low-fat milk for ages 2-5, and unflavored low-fat milk for ages 6 and older.</p>	Same

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Requirement	Grades K-12		Preschoolers (Ages 1-4)	
	NSLP, SBP, and SSO	ASP and SMP	NSLP, SBP, and SSO	ASP and SMP
R5: Nondairy Milk Substitutes for Children without a Disability	<p>SFAs may choose to serve nondairy beverages (such as soy milk) to children whose dietary needs do not constitute a disability. The child's parent or guardian must submit a written request for a nondairy milk substitute. The nutrition standards for fluid milk substitutes are defined by the NLSP regulations (7 CFR 210.10). For more information, see the CSDE's handout, <i>Allowable Milk Substitutes for Children without Disabilities in the USDA School Nutrition Programs</i>.</p> <p>Note: SFAs cannot offer any other beverages (including water and juice) in place of milk for reimbursable meals.</p> <p>Additional state requirements for nondairy milk substitutes in public schools: In addition to the USDA's requirements, nondairy milk substitutes sold in public schools (as part of and separately from school meals) must comply with the state beverage requirements of C.G.S. Section 10-221q. Nondairy milk substitutes cannot contain artificial sweeteners; and cannot contain more than 4 grams of sugar per ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fats. The CSDE's List of Acceptable Foods and Beverages webpage includes products that comply with the federal and state requirements.</p>	Same	<p>SFAs may choose to serve nondairy beverages (such as soy milk) to children whose dietary needs do not constitute a disability. The child's parent or guardian must submit a written request for a nondairy milk substitute. The nutrition standards for fluid milk substitutes are defined by the NLSP regulations (7 CFR 210.10). For more information, see the CSDE's handout, <i>Allowable Milk Substitutes for Children without Disabilities in the USDA School Nutrition Programs</i>.</p> <p>Note: SFAs cannot offer any other beverages (including water and juice) in place of milk for reimbursable meals.</p> <p>Additional state requirements for nondairy milk substitutes in public schools: In addition to the USDA's requirements, nondairy milk substitutes sold in public schools (as part of and separately from school meals) must comply with the state beverage requirements of C.G.S. Section 10-221q. Nondairy milk substitutes cannot contain artificial sweeteners; and cannot contain more than 4 grams of sugar per ounce, 35 percent of calories from fat, and 10 percent of calories from saturated fats. The CSDE's List of Acceptable Foods and Beverages webpage includes products that comply with the federal and state requirements.</p>	Same

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Requirement	Grades K-12		Preschoolers (Ages 1-4)	
	NSLP, SBP, and SSO	ASP and SMP	NSLP, SBP, and SSO	ASP and SMP
R5: Nondairy Milk Substitutes for Children Without a Disability, <i>continued</i>	Resources Accommodating Special Diets in School Nutrition Programs (CSDE) Allowable Milk Substitutes for Children without Disabilities in the USDA School Nutrition Programs (CSDE) Beverage Requirements (CSDE webpage) List of Acceptable Foods and Beverages (CSDE webpage) USDA Memo SP 07-2010 CACFP 04-2010 SFSP 05-2010: Questions and Answers: Fluid Milk Substitutions	Same	Resources Accommodating Special Diets in School Nutrition Programs (CSDE) Allowable Milk Substitutes for Children without Disabilities in the USDA School Nutrition Programs (CSDE) Beverage Requirements (CSDE webpage) List of Acceptable Foods and Beverages (CSDE webpage) USDA Memo SP 07-2010 CACFP 04-2010 SFSP 05-2010: Questions and Answers: Fluid Milk Substitutions	Same

Regulations and Policy

Final Rule (77 FR 4088): Nutrition Standards in the National School Lunch and School Breakfast Programs):

<https://www.gpo.gov/fdsys/pkg/FR-2012-01-26/pdf/2012-1010.pdf>

Final Rule (81 FR 24347): CACFP Meal Pattern Revisions Related to the Healthy, Hunger-Free Kids Act of 2010

<https://www.fns.usda.gov/cacfp/fr-042516>

National School Lunch Program Regulations (7 CFR 210):

<https://www.fns.usda.gov/part-210%E2%80%9494national-school-lunch-program>

School Breakfast Program Regulations (7 CFR 220):

<https://www.fns.usda.gov/part-220%E2%80%9494school-breakfast-program>

School Meals Legislation and Regulations (USDA):

<https://www.fns.usda.gov/school-meals/program-legislation-regulations>

Special Milk Program Regulations (7 CFR 215):

<https://www.fns.usda.gov/part-215%E2%80%9494special-milk-program-children>

USDA Memo SP 37-2017: Flexibility for Co-Mingled Preschool Meals: Questions and Answers:

<https://www.fns.usda.gov/school-meals/flexibility-co-mingled-preschool-meals-questions-and-answers>

USDA Memo SP 38-2019: Meal Requirements under the National School Lunch Program and School Breakfast Program: Q&As for Program Operators:

<https://www.fns.usda.gov/cn/meal-requirements-under-national-school-lunch-program-and-school-breakfast-program>

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Websites and Resources

Afterschool Snack Program (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Afterschool-Snack-Program>

Afterschool Snack Program Handbook (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/ASP/ASPHandbook.pdf>

CSDE Operational Memorandum 06-19: Summary of Federal and State Milk Requirements for the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP) of the NSLP, and Special Milk Program (SMP):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2019/OM06-19.pdf>

Food Buying Guide Section 5: Overview of Crediting Requirements for the Milk Component (USDA):

https://foodbuyingguide.fns.usda.gov/Content/TablesFBG/USDA_FBG_Section5_Milk.pdf

Food Buying Guide Section 5: Yield Table for Milk (USDA):

https://foodbuyingguide.fns.usda.gov/files/Reports/USDA_FBG_Section5_MilkYieldTable.pdf

Laws and Regulations for Child Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Laws-and-Regulations-for-Child-Nutrition-Programs>

Meal Patterns for Preschoolers in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-Preschoolers-in-School-Nutrition-Programs>

Meal Patterns for School Nutrition Programs: Grades K-12 (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Pattern-Training-Materials>

Menu Planning Guide for Preschoolers in the NSLP and SBP (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Preschool/mpgpschool.pdf>

Menu Planning Guide for School Meals for Grades K-12 (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Menu-Planning-Guide-for-School-Meals>

Milk Component for Grades K-12 (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Crediting-Foods-in-School-Nutrition-Programs/Documents#Milk>

Milk Component for Grades K-12 in the ASP (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Afterschool-Snack-Program/Documents#MilkK12>

Milk Component for Preschoolers (CSDE):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-Preschoolers-in-School-Nutrition-Programs/Related-Resources#Milk>

Nutrition Standards for CACFP Meals and Snacks (USDA webpage):

<https://www.fns.usda.gov/cacfp/meals-and-snacks>

Operational Memoranda for School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Lists/Operational-Memoranda-for-School-Nutrition-Programs>

Policy Memos for Child Nutrition Programs (USDA webpage):

<https://www.fns.usda.gov/resources>

Program Guidance for School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Program-Guidance-School-Nutrition-Programs>

Resources for the Preschool Meal Patterns (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Preschool/ResourcesPreschoolMealPattern.pdf>

Seamless Summer Option (SSO) of the NSLP (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Seamless-Summer-Option-SSO-of-the-NSLP>

Special Diets in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Special-Diets-in-School-Nutrition-Programs>

Special Milk Program (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Special-Milk-Program>

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For more information, visit the Connecticut State Department of Education's (CSDE) [Crediting Foods in School Nutrition Programs](#) and [Meal Patterns for Preschoolers in School Nutrition Programs](#) webpages, or contact the [school nutrition programs staff](#) in the CSDE's Bureau of Health/Nutrition, Family Services and Adult Education, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841.

This document is available at <https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Crediting/ComparisonMilkRequirementsSNP.pdf>.

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- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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